

FILED
FEB 17 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

SHERRY L. STROH,

Civil Case No. 08-1148-JE

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

Richard F. McGinty
McGinty & Belcher
P. O. Box 12806
Salem, Oregon 97301

Attorney for Plaintiff

Dwight C. Holton
Acting United States Attorney

Adrian L. Brown
Assistant United States Attorney
1000 SW Third Avenue, Suite 600
Portland, Oregon 97204-2902

Attorneys for Defendant

KING, Judge:

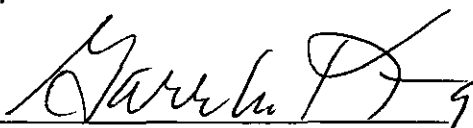
The Honorable John Jelderks, United States Magistrate Judge, filed Findings and Recommendation on January 6, 2010. Plaintiff filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Jelderks.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Jelderks (#21) dated January 6, 2010 in its entirety.

IT IS HEREBY ORDERED that the Commissioner's decision is AFFIRMED and this case is DISMISSED.

DATED this 17TH day of February, 2010.



GARR M. KING
United States District Judge